

POWER OF BOARD IN BUILDING NEW CAPITOL UNSURE

Act of God Clause Gives Right to Create Deficiency, But Debt Limitation Raises New Point

SALEM, May 8.—(AP)—Speculation was rife today whether or not the state emergency board had the power to appropriate funds to provide for the construction of a new capitol building, and this view was enhanced when that board met yesterday for the first time this year and read the law which created it.

The law, as set out, specified the board could appropriate a deficiency provided that deficiency was made available by an appropriation of the preceding legislature. The 1935 assembly had approved a sum of \$100,000 for the emergency board.

However, the law continued, "nothing in this act shall be construed to prevent the board from making any appropriation found necessary as the result of fire, flood, hurricane or other act of god."

This clause would give the board the authority to create a deficiency for the possible construction of a new capitol building. But a constitutional limitation raised another point. Article II, section 7, states the legislative assembly does not have the power to create a state indebtedness in excess of \$10,000. The issue may have to be decided by an attorney general's opinion.

It was further argued the emergency board may have the right under the act to negotiate with the federal government for funds without creating an indebtedness as defined by the constitution. The issue created a new angle on new capitol construction.

More Uncertainty Since the board was not called into session to consider the emergency as the result of the fire, this point was ignored officially. Construction of buildings contemplated at the state fairgrounds was the purpose for which the governor requested the meeting.

It was found no appropriation nor action could be taken without a vote of five or more members of the board of seven. Should Representatives Coe and Semon be disqualified as a result of the attorney general's opinion which declared their seats in the legislature were vacant, the board would still have five bona fide members, but any action would require a unanimous vote.

Old Walls Useless Confirming its oral recommendations the state planning board yesterday advised the board of control by letter that it was not considered desirable to save the walls of the burned capitol building or to use them as part of a rebuilt capitol building.

Governor Martin declared the board of control was proceeding with the raising on the basis of the judgment of the members of the control body "reinforced" by the opinion of the planning board. He advised, with the consent of Secretary of State Earl Snell, the board was assuming its responsibility to prepare the way for the legislature to act quickly and efficiently in construction of a new building.

Portland Has Plan John E. Tourtelotte, Portland architect representing the Portland city council, presented the proposal for construction of the state-country-city building in Portland to house the offices of the state now paying rent in that city. He declared it would be an opportune time for the state to consider this building as well as the construction of the new capitol building at Salem.

Tourtelotte stated the proposed structure would be built at a cost of \$2,250,000 and would work in with the civic center at Portland. This, he said, should not be confused with the capitol building which should be constructed at Salem and should be one of which the citizens of the state would be proud.

Should Be Real Capitol Commenting upon the published reports of agitation for a capitol building to cost not more than \$250,000, Governor Martin said the ideals and enterprise of the citizens of Oregon would not be satisfied with a \$250,000 capitol, and that the new structure should be one of which the people can point with pride.

Both the governor and secretary of state, present at the session, stated consideration would be given to cooperation on the part of the state in the Portland civic center proposal.

EAGLE EPT. PLAY TO AID SCOUT JAMBOREE TRIP

The Eagle Point high school seniors will present Phillip Barry's famous play, "The Youngest," on May 17. This play is one of the best in this famous playright and so popular in dramatic circles that a royalty was necessary to secure the right to present it to Jackson county audiences.

The play will be the best ever produced in Eagle Point as the seniors have had four years of dramatic instruction together from the same talented dramatic coach, Mrs. Fern Wisnower.

Eagle Point Scouts are raising funds to send a Scout to the National Jamboree at Washington. The high school is co-operating with the Scout committee in an effort to raise the amount needed to send the Scout to the National Jamboree. A large share of the receipts will be given to the Scout fund.

Frank Boone, Gene Eldridge, Fred Fry—Hotel Allen Barber Shop.

TAXI LEAPS CURB; KILLS MOTHER



This dramatic picture, taken in Brooklyn, N. Y., shows the body of Mrs. Rosa Samonoff, 44, mother of four children, killed by a taxicab which leaped the curb. At the right stands her husband, Samuel, dazed with grief. (Associated Press Photo)

SPOTS IN THROAT MAY BE DREADED DIPHTHERIA SIGN

The last statement in a series made by Medford physicians during Child Health Week was issued today by A. E. Dodson, M. D., relating to diagnosis and treatment of diphtheria.

"Due to the seriousness of diphtheria, people should be warned that spots on a membrane in the throat are suggestive of diphtheria. On physical examination diphtheria can be mistaken for follicular tonsillitis and trench mouth, and if there is some doubt in one's mind sneezers should be taken at once. Diphtheria may take the patient very sick—but due to the mild course in the early stages of many cases, however, parents fail to notice that the child is sick and cases are on record where children have dropped dead while at play. And on examination after death diphtheria has been discovered.

"Cases are also seen when the first symptoms the mother has noticed is difficulty of breathing and choking sensations. In the majority cases diphtheria kills by causing paralysis of the throat, the patient cannot breathe and literally chokes to death. Other cases die from acute heart failure due to poisoned heart muscle. Isolate the patient in good, well ventilated room with adjacent bath room and a trained nurse. Open the window and put tube in, if breathing is difficult. If the doctor in charge is confident he is dealing with diphtheria give antitoxin at once and wait for sneezers and culture examinations. Mild, soothing, hot gargles, swabs, or sprays are used in the throat. Give iron in some form and watch the heart. Treat other complications as they arise. Successful treatment depends on early diagnosis with prompt treatment with antitoxin."

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BUNCO STEERERS PICKED UP HERE HAD BAD RECORD

Police Receive Data Showing One in and Out of Jail Since 1915—Another in Trouble Since 1905

Information has been received by the state police here that at least two of the three Jews arrested and fined for vagrancy some time ago following an alleged bunco game, in which a Medford second hand store proprietor was the intended victim, have long and impressive criminal records.

The information, received from the United States department of justice, shows that the man giving the name of Schapiro, but known to the police as Kautsky, was arrested in New Orleans in 1915 as a fugitive from justice, and was returned to Chicago. He was again arrested in Kansas City in 1917 as a pickpocket, and was also arrested in Los Angeles last year on a charge much like the one in which he was involved here—bunco grand theft, involving diamonds.

The man known in the local bunco deal as Saltzman is known to the police as Abraham Werbel. His record begins way back in 1905, when he was haled into Essex Market court in New York as a pickpocket. In 1910, the former arrest having made not too much impression upon him, he was again arrested in New York on the same charge. He then stayed out of trouble for almost two years, but in 1909 was again picked up in Gotham, this time for grand larceny.

That was the year that he faced the judge three times in New York, twice on grand larceny charges, and once for disorderly conduct. Bright and early in 1910 he was again brought into court on a disorderly conduct charge, apparently served his sentence, was released, but in a short time was again in the clutches of the law on the same charge.

Twice in 1910 he was taken to court to face grand larceny charges, and again in 1912 the New York courts mulled over him on two more grand larceny charges, but the printed record received here does not indicate what sentences he served. After this fling into crime, Werbel at least avoided arrest until 1915, when he was yanked into magistrate court, also in New York, on a charge of gambling.

Twelve arrests in New York in less than ten years finally seemed to convince Werbel that he was being "framed," and "railroaded," so he packed up and departed for Chicago. So 1916 found him at work in Chicago, but apparently the Chicago police didn't like his looks any better than the New York ones did, and he found himself staring a Chicago judge in the eye on a gambling charge. Possibly indignant at this treatment, he either remained out of trouble or in jail until 1922, by which time he had again swayed his way to New York, where he was hooked once more for gambling. All then went well until 1926, at

which time the New York officers picked him up and arraigned him on three counts of participation in a "con" game. And so no more was heard of Abraham Werbel until 1927, when in Mineola, N. Y., he was arrested, tried, and sent to Sing Sing for six years on two counts of grand larceny. He served that time in Sing Sing, was released in 1933, hit out for Chicago, where the Loop police held him for awhile for investigation. In 1934 he was picked up by the Los Angeles police as a fugitive from Ohio on a swindling charge. That was his last arrest until he was arrested by state police here.

Another sheet of his record shows that at various times between 1920 and 1926, he was arrested on charges of swindle, larceny by trick, bunco steering, confidence game, receiving stolen goods, and grand larceny in several different cities, including Duluth, Detroit, Hammond, Indiana, Crown Point, Indiana, and Michigan City, Indiana.

According to the state police, in view of Werbel's long record of various swindling rackets, it is remarkable that he should be outwitted by the local merchant. Many police officers throughout the country have failed to catch him on some of his more clever stunts, it was stated.

FISH TO RUN IF RIGHT ONES WISH

WOMAN SUICIDES TO ESCAPE TRIAL

OMAHA, May 8.—(AP)—Congressman Hamilton Fish, Jr. (R., N. Y.) in an interview here said today he might be a candidate for president in the next national election if the call for him to run were made on the basis of patriotic duty and if it came from western Republicans.

Congressman Fish declared that since the first of the year he has found evidence to lead him to believe the voters had "given up" President Roosevelt and the hope of reaching prosperity through his leadership. The voters, he added, were turning to the Republican party.

He predicted that in the next election there would be as many "Jeffersonian Democrats" vote the Republican ticket as there were Republicans who voted the Democratic ticket in the last national election.

The price for the best example of reporter's work went to William H. Taylor, New York Herald Tribune sports writer, for his stories on the America's cup yacht races last September. This was also a \$1000 award, as were those in history and biography.

The prize for the best American biography went to Douglas S. Freeman, editor of the Richmond (Va.) "Star" Leader for his four-volume work, "R. E. Lee." David S. Murray received honorable mention for his "James G. Blaine."

The history prize was awarded to Prof. Charles McLean Andrews of Yale University for "The Colonial Period in American History."

The Sacramento Bee Wins Gold Medal for Meritorious Service—No Award Made for Year's Best Editorial

NEW YORK, May 8.—(AP)—A blast of criticism sounded today in the wake of the announcement of the year's Pulitzer play, "The Old Maid," by Zoe Akins.

The drama, adapted from a story by Edith Wharton, was chosen by the advisory board of the Columbia school of journalism as the best American play in 1934.

Clayton Hamilton, who resigned last year after serving 16 years on the Pulitzer drama jury, said the board had passed up the "finest play of this year and of many years"—"The Children's Hour" for a play which is merely "the transference of a novel to the stage."

In Hollywood, Miss Akins replied: "I'm not interested in discussing this. However, in all fairness, I must point out that 'The Green Pastures' (1930 Pulitzer prize winner) also was an adaptation."

Miss Akins gave full credit to Mrs. Wharton for the inspiration for the play.

The drama winner was announced by Dr. Nicholas Murray Butler, president of Columbia university, last night, along with the Pulitzer awards in other fields. Women received two other major literary prizes.

A first novel, "Now in November," by Josephine Winslow Johnson, 24-year-old Massachusetts, was given the \$1000 award for literature. Twenty-three-year-old Audrey Wurdeman of Seattle won the \$1000 poetry prize for her volume, "Bright Ambush."

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A Sensational REMOVAL SALE Starts Saturday!

SEE FRIDAY'S TRIBUNE

VANCOUVER, Wash., May 8.—(AP)—Having chosen death by hanging rather than stand trial on a first degree assault charge, Mrs. Vera Markusun, 31, killed herself in her cell in the county jail here some time during the night. The body was found today.

Mrs. Markusun was held for the shooting of her husband, Oscar Markusun, who was wounded during a quarrel at their north Bonview home on April 21. He was not seriously hurt and has left the hospital.

Yesterday Mrs. Markusun learned the assault charges would be pressed. She left a note declaring she would rather end her life than take a chance on going to prison.

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